REMARKS

In accordance with the foregoing, claims 3, 17, 33, 44, 46-47, and 49-50, are canceled without prejudice or disclaimer and claims 1, 4-11, 14, 18-22, 25, 27, 34-41, and 43 are amended. Claims 1-2, 4-16, 18-32, 34-43, and 45, are pending and under consideration.

As claims 3, 17, 33, 44, 46-47, and 49-50, are canceled, Applicant submits that the rejections against these claims are moot.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 and 35 U.S.C. § 103

Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,396,998 issued to Nozaki et al., U.S. Patent No. 6,396,998; claims 3-4, 6-13 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nozaki et al., in view of Ozawa et al. (Ozawa), U.S. Patent App. Pub. No. 2001/0033531; claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nozaki et al., in view of Takaku et al. (Takaku), U.S. Patent No. 6,295,267; claims 27-32 and 34-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gehr in view of Ozawa, in view of Takaku; claims 38-40, 43 and 45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gehr, in view of Ozawa and Takaku, and further in view of Nozaki; claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nozaki and Ozawa and further in view of Gehr; claims 14-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nozaki and Ozawa and further in view of Denda et al. (Denda), U.S. Patent No. 6,995,936; claims 17-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nozaki, and further in view of Ozawa, Gehr and Denda; and claims 41 and 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gehr in view of Ozawa and Takaku, and further in view of Denda. These rejections are respectfully traversed.

Claim 1 has been amended to include the features of claim 3, at least reciting:

> wherein the transmitting optical recording medium drive comprises:
>
> a controller controlling transmission of the decoded disc related data recorded in the lead-in area and the decoded program area data recorded in the program area of the first optical recording medium to the receiving optical recording medium drive, controlling transmission of a signal to the receiving optical recording medium drive, when a copying key is pressed, the copying key installed outside the transmitting optical recording medium drive, and controlling transmission of a signal to the receiving optical recording medium drive indicating a state of the

transmitting optical recording medium drive

The Office Action states that Nozaki does not disclose the above claimed features, and cites to Ozawa as curing this deficiency.

Specifically, claim 1 at least recites "a controller controlling transmission of the decoded disc related data recorded in the lead-in area."

The Office Action states that "Ozawa discloses that the lead-in area contains disc related control information." The Office Action further cites to FIG. 9 of Ozawa, discussed in Ozawa as being data included in a TOC recorded in a lead-in area. Applicant submits however, that a discussion of a TOC contained in a lead-in area of a disc, fails to describe or suggest that a controller controls transmission of the decoded disc related data, as claimed. That is, following the Office Action's interpretation, Ozawa fails to discuss or suggest that a controller controls transmission of the TOC.

Rather, Ozawa discusses in para. [0114] that the only data transmitted between the CD unit and MD unit of Ozawa is CD playback data (i.e. the audio content data). Further, Ozawa discusses in para. [0116] that the management information included in the TOC is stored in RAM and merely referenced (not transmitted) in later operations to record and play back data onto and from the CD.

Therefore, in view of the above remarks, Applicant submits that Ozawa fails to cure the deficiencies of Nozaki in failing to describe or suggest the claimed "a controller controlling transmission of the decoded disc related data recorded in the lead-in area."

Further, claim 1 at least recites "controlling transmission of a signal to the receiving optical recording medium drive indicating a state of the transmitting optical recording medium drive."

The Office Action fails to set forth in the substance of the rejection on pages 8-9 the presence in either of the cited references Nozaki or Ozawa of a disclosure of each and every element of the claims, as arranged in the claim, as required under M.P.E.P. § 2131.

Rather, the Office Action merely states "Ozawa describes communication between drives, wherein control is based on synchronization of the drives," and cites to paras. [0125], [0127], and [0132]-[0136] of Ozawa. Accordingly, due to the omission to cite, with specificity to each and every element of the claimed "controlling transmission of a signal to the receiving optical recording medium drive indicating a state of the transmitting optical recording medium drive," against the cited paragraphs of Ozawa, Applicant is uncertain what interpretation the Office Action is attempting to set forth as reading on these claimed features.

Applicant respectfully submits that paras. [0125], [0127], and [0132]-[0136] of Ozawa are silent regarding any "signal to the receiving optical recording medium drive indicating a state of the transmitting optical recording medium drive," or controlling the transmission of same.

Rather, the only signals discussed in paras. [0125], [0127], and [0132]-[0136] of Ozawa is the signal (data signal) to be recorded, in para. [0135] and a clock signal discussed in para. [0135] as being used for timing the audio compression/decompression. Applicant submits that these signals discussed in Ozawa do not describe or suggest "indicating a state of the transmitting optical recording medium drive," as claimed.

Therefore, in view of the above remarks, Applicant submits that Ozawa fails to cure the deficiencies of Nozaki in failing to describe or suggest the claimed "controlling transmission of a signal to the receiving optical recording medium drive indicating a state of the transmitting optical recording medium drive."

Claim 1 has also been amended to include the features of claim 17, at least reciting:

> wherein the receiving optical recording medium drive comprises:
>
> a disc type determination unit which determines a type of the second optical recording medium on which the received data transmitted from the transmitting optical recording medium drive is recorded;
>
> a controller controlling sequential recording of the received converted data in a lead-in area, a program area, and a lead-out area of the second optical recording medium

The Office Action states that Nozaki does not disclose the above claimed features, and cites to Ozawa as curing this deficiency.

Specifically, claim 1 at least recites "a disc type determination unit which determines a type of the second optical recording medium on which the received data transmitted from the transmitting optical recording medium drive is recorded." The Office Action cites to para. [0196] of Ozawa as describing this feature.

However, para. [0196] of Ozawa appears to discuss a disc specification set on the CD, where tracks have already been recorded (see para. [0199]), the CD being the optical recording medium which is the playback source, and performs playback only in Ozawa, as discussed in para. [0051] of Ozawa. Rather, the recording medium on which received data is recorded in Ozawa is the MD 90 of FIG. 1, as discussed in para. [0052] of Ozawa. Accordingly, para. [0196]

of Ozawa fails to discuss or suggest the claimed "determines a type of the second optical recording medium on which the received data transmitted from the transmitting optical recording medium drive is recorded."

Additionally, Applicant submits that regarding the MD, Ozawa is silent regarding "determines a type of the second optical recording medium."

Further, claim 1 at least recites "a controller controlling sequential recording of the received converted data in a lead-in area, a program area, and a lead-out area of the second optical recording medium."

The Office Action merely cites to figures and discussion of Ozawa which depict a lead-in area, a program area, and a lead-out area of a CD. However, as discussed above, Ozawa fails to discuss or suggest that any data other than playback data (audio content data) is received and recorded onto the MD of Ozawa.

Therefore, Applicant submits that Ozawa fails to discuss or suggest "a controller controlling sequential recording of the received converted data," as claimed.

Still further, claim 1 at least recites "controlling transmission of a confirmation signal indicating a state of the receiving optical recording medium drive to the transmitting optical recording medium drive, when a copying key is pressed."

The Office Action states that the combination of Nozaki and Ozawa does not disclose the above claimed features, and cites to Denda as curing this deficiency. Specifically, the Office Action states "Denda discloses an information recording apparatus, where confirmation of the write operation is sent before the next data block is transmitted to the receiving device," and cites to FIG. 5.

Applicant submits that Denda is directed towards an apparatus which merely includes one optical disk unit, an MD, as shown in FIG. 4. Therefore, Denda fails to discuss or suggest that any signal would be sent to a transmitting optical recording medium drive, as only one optical disk unit is discussed.

Further, the details around Denda's judging of whether or not a trial recording is successful, as appears to be discussed in column 8, line 46 – column 9, line 19, do not describe or suggest that any *signal* is sent, as claimed. Applicant submits that the result of a judging could be indicated by any number of ways, which therefore, does not describe or suggest specifically "transmission of a confirmation signal ... to the transmitting optical recording medium drive."

Still further, Applicant submits that judging whether a trial recording is successful, as discussed in Denda cannot be equated to "indicating a state of the receiving optical recording medium drive," as all the judging in Denda merely indicates is whether a trial recording is successful, and fails to describe or suggest any state of the MD of Denda.

Therefore, in view of the above remarks, Applicant submit that Denda fails to cure the deficiencies of Ozawa and Nozaki in failing to describe or suggest the claimed "controlling transmission of a confirmation signal indicating a state of the receiving optical recording medium drive to the transmitting optical recording medium drive, when a copying key is pressed."

Applicant further submits that Gehr fails to cure the above described deficiencies of Ozawa, Nozaki, and Denda, and therefore, that claim 1, and claims 4-16 and 18-26 which depend therefrom and recite patentably distinct features of their own, patentably distinguish over the cited art, whether considered alone, or in combination.

Claim 27 has been amended to include the features of claims 33, and 44 and at least recites:

> wherein the data conversion in the transmitting optical recording drive comprises:
>
> transmitting the decoded data recorded in the lead-in area and the program area to the receiving optical recording medium drive,
>
> wherein the recording in the receiving optical recording medium drive comprises:
>
> recording TOC information, the generated TOC sub-code, and the generated TOC sub-Q value in the TOC area;
>
> generating a lead-out area sub-code and a lead-out sub-Q value for the lead-out area of the receiving optical recording medium; and
>
> recording the generated lead-out sub-code and the generated lead-out sub-Q value in the lead-out area, after the recording of the program area data in the program area

Therefore, for at least the reasons set forth above regarding claim 1, and for the additional patentably distinct features recited, Applicant submits that claim 27, and claims 28-32, 34-43, and 45, which depend therefrom and recite patentably distinct features of their own, patentably distinguish over the cited art.

Regarding claim 2, Applicant submits that Takaku fails to cure the above described deficiencies of Gehr, Ozawa, Nozaki, and Denda as set forth above regarding claim 1 from which claim 2 depends. Therefore, for at least the reasons set forth above regarding claim 1, Applicant submits that claim 2 patentably distinguishes over the cited art.

Withdrawal of the rejections and allowance of all pending claims is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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